

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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KEVIN ABREU,

Plaintiff,

MEMORANDUM & ORDER

19-CV-02813 (EK) (ST)

-against-

OFFICER SMITH,

Defendant.

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ERIC KOMITEE, United States District Judge:

The Court has received Magistrate Judge Tiscione's Report and Recommendation (R&R) dated March 8, 2021. ECF No. 19. Judge Tiscione recommends that the Court dismiss this case for failure to prosecute under Rule 41(b) of the Federal Rules of Civil Procedure. Neither party has filed objections and the time to do so has expired. Accordingly, the Court reviews the R&R for clear error on the face of the record. See Advisory Comm. Notes to Fed. R. Civ. P. 72(b); *accord Gesualdi v. Mack Excavation & Trailer Serv., Inc.*, No. 09-CV-2502, 2010 WL 985294, at *1 (E.D.N.Y. Mar. 15, 2010). Having reviewed the record, the Court finds no clear error.

The Court adopts the R&R in its entirety pursuant to 28 U.S.C. § 636(b)(1). This action is therefore dismissed with

prejudice. The Clerk of Court is respectfully directed to enter judgment and close this case.

SO ORDERED.

/s Eric Komitee
ERIC KOMITEE
United States District Judge

Dated: June 9, 2021
Brooklyn, New York